

REMARKS

In the application claims 68-109 remain pending. Various of the claims have been amended to further clarify what is regarded as the invention and to ensure proper antecedent bases. The claims as amended find support in the application as filed, and certain of the applications to which priority is claimed, and, as such, no new matter has been added.

Of the claims pending, claims 72-81 have been indicated to be allowable.

In the Office Action claims 82-109 were rejected under 35 U.S.C. § 112, first paragraph. In response, the claims have been amended to clarify that the machine readable tag stores manufacturer data as is described in the specification of the subject application as well as U.S. Application No. 10/151,635 cited to in the subject application. It is additionally submitted that U.S. Application No. 10/151,635 was expressly incorporated by reference into the subject application (*see* pg. 41, lines 7+ wherein it is set forth that “All of the cited patents and patent applications are hereby incorporated by reference in their entirety.”). It is further submitted that support for the elements of claims 91, 92, and 101-107 is found at, among other places, page 16, lines 16+ wherein it is described that, *after* all of the RFID tags of interest have been read by the universal remote control the universal remote control is configured to command operations of one or more appliances by using the read data to assign appliances to operational modes/command keys of the universal remote control. For these reasons it is respectfully requested that the rejection of the claims under 35 U.S.C. § 112 be withdrawn.

In the Office Action pending claims 68-71 were rejected under 35 U.S.C. § 103 as being rendered obvious by the combination of Stefanik (U.S. Patent No. 6,750,801) and Kaario (U.S. Published Application No. 2005/0242167). The reconsideration of this rejection is, however, respectfully requested.

In rejecting these claims it was acknowledged that, among other things, Stefanik fails to disclose, teach, or suggest the claimed storing within a memory device of an appliance a mapping between one or more appliance operational preferences and an individual or the claimed using of data received from an RFID tag and forwarded from a universal remote control to retrieve from the memory device of the appliance the one or more appliance operational preferences that have been mapped to the individual represented by the data received from the RFID tag and configuring the appliance according to the retrieved appliance operational preferences. Considering now Kaario, while Kaario does disclose an RFID tag it is respectfully noted that the RFID tag/token of Kaario contains a pointer to a relay location on a network which, in turn, contains an Internet URL to an Internet server having profile information for a user. (paras. 0009, 0010). In this manner, when the RFID token of Kaario establishes a link with a smart appliance, the RFID token of Kaario conveys the relay location to the smart appliance, the smart appliance accesses the relay location, the relay location responds by sending the profile URL to the appliance, *and then* the appliance attempts to link with/download the profile using the profile URL. (para. 0013). Thus, it is respectfully submitted that, like Stefanick, Kaario similarly fails to disclose, teach, or suggest storing within a memory device of an appliance a mapping between one or more appliance operational preferences and an individual *and then* using data received from an RFID tag (forwarded from a universal remote control or otherwise) to retrieve from the memory device of the appliance the one or more appliance operational preferences that have been mapped to the individual represented by the data received from the RFID tag and configuring the appliance according to the retrieved appliance operational preferences. Accordingly, it is respectfully submitted that the combination of Stefanick and Kaario cannot be said to disclose, teach, or suggest all of the elements claimed

and the rejection of claims 68-71 must be withdrawn.

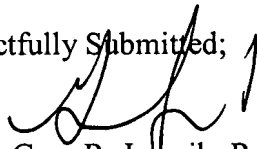
In the Office Action pending claims 82-86, 93-97, and 108-109 were rejected under 35 U.S.C. § 103 as being obvious over Yang (U.S. Patent No. 6,133,847) in combination with Gurney (U.S. Patent No. 6,754,190). The reconsideration of the rejection is, however, respectfully requested.

In rejecting these claims it was acknowledged that, among other things, Yang fails to disclose, teach, or suggest receiving into a remote control data from a machine readable tag having standardized information that functions to identify an appliance and manufacturer of an appliance and using the received data to configure the remote control. It is additionally respectfully submitted that, by this acknowledged omission, Yang fails to disclose, teach, or suggest the claimed receiving data into a universal remote control data from a machine readable tag via a device of the universal remote control dedicated to obtaining data from the machine readable tag and using a separate transmission circuit to transmit commands to an appliance to be controlled from a now configured remote control. Rather, in direct contrast, Yang discloses a device in which a single data interface (110) is to be utilized, regardless of the physical media/channel by which data is to be obtained, for *both* downloading code from an appliance and for transmitting function control signals from a remote control device to an appliance. (Col. 3, line 36-56; Col. 3, line 66-Col. 4, line 14, etc.). Accordingly, it is respectfully submitted that Yang not only fails to disclose, teach, or suggest the core of the invention set forth within the claims but, in fact, teaches directly against the invention that is claimed. For at least this reason it is respectfully submitted that the rejection of claims 82-109 based upon the combination of Yang and Gurney must be withdrawn.

Turning now to Gurney, while Gurney discloses using RFID and like type of labels for

real-time item tracking and inventory to, among other things, reduce waste associated with misplacement of items, over or under stocking items, and item theft (Col. 1, lines 33-44), it is respectfully submitted nothing from Gurney discloses, teaches, or suggests that using RFID tags or the like type of labels would be advantageous in the art of remote control configuration. Accordingly, it is respectfully submitted that nothing from Gurney can be said to disclose, teach, or suggest the desirability of modifying the single, bi-directional data interface (110) of Yang to arrive at the invention recited in the claims. Rather, the only reference of record that can be said to suggest the desirability of receiving into a universal remote control, via a device of the universal remote control dedicated to obtaining data from a machine readable tag, data obtained from a machine readable tag associated with an appliance and then using the received data to configure a remote control *where after* the remote control may communicate, via a separate transmission circuit, with the appliance is the subject application. In this light it respectfully submitted that it is evident that the conclusion of obviousness could only have been reached through the impermissible use of hindsight, i.e., using knowledge impermissibly derived from the subject application. For this still further reason it is respectfully submitted that the rejection of claims 82-109 based upon the combination of Yang and Gurney must be withdrawn.

It is respectfully submitted that the application stands in condition for allowance. Should it be determined, however, that some further action is necessary before the application is passed to allowance, the Examiner is respectfully requested to telephone the attorney undersigned.

Respectfully Submitted; 

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